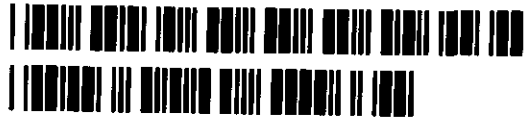


THE HONORABLE ROBERT S. LASNIK



08-CV-00047-JGM

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re CELLCYTE GENETICS  
CORPORATION SECURITIES  
LITIGATION,

CASE No. 08-cv-0047-RSL

**STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING STAY**

This Document Relates to:

**NOTED FOR CONSIDERATION:  
Friday, August 21, 2009**

ALL ACTIONS

**STIPULATION**

WHEREAS, on July 27, 2009, this Court stayed the above-captioned action as against Defendants Reys, Berninger, and CellCyte for all purposes, including Defendant Gary Reys' Motion To Dismiss Plaintiffs' Second Amended Consolidated Class Action Complaint (the "Dismissal Motion") [dkt. no. 145], until August 24, 2009. *See* Order Staying Action [dkt. no. 165].

WHEREAS, while their efforts towards settlement and/or stipulated dismissal are progressing, the parties require additional time to continue their discussions concerning a potential settlement and/or stipulated dismissal and, thus, they have agreed to extend the stay until September 25, 2009.

WHEREAS, counsel for Lead Plaintiffs and Defendant Reys are available for a conference should the Court request additional information concerning the parties' agreed stay.

STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING STAY - 1  
08-CV-0047-RSL

DLA Piper US LLP  
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1 WHEREAS, the parties' agreement is not for the purpose of delay, promotes judicial  
2 efficiency, and will not cause prejudice to any party.

3 **THEREFORE, IT IS STIPULATED AND AGREED** by Lead Plaintiffs and  
4 Defendants Reys, Berninger, CellCyte through their respective counsel of record, as follows:

5 1. The above-captioned action as against Defendants Reys, Berninger, and  
6 CellCyte is stayed for all purposes, including the pending Dismissal Motion, until September  
7 25, 2009.

8 2. The parties agree to immediately advise the Court and/or request that the stay be  
9 lifted if the parties reach an impasse in their discussions.

10 **STIPULATED AND AGREED TO BY:**

11  
12 DATED this 21st day of August, 2009. DLA PIPER US LLP

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23 DATED this 21st day of August, 2009. BULLIVANT HOUSER BAILEY PC

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1  
2 DATED this 21st day of August, 2009.

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9 Corporation

10 DATED this 21st day of August, 2009.

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21 Attorneys for Lead Plaintiffs

**ORDER**

THIS MATTER having come before the Court on the stipulation of the parties, the Court **GRANTS** the stipulated relief requested.

DATED this 24<sup>th</sup> day of August, 2009.



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THE HONORABLE ROBERT S. LASNIK  
UNITED STATES DISTRICT COURT JUDGE